

PROPOSALS CONCERNING HAZARDOUS PAY AND
BENEFITS THAT MAY BE PLACED INTO EFFECT IMMEDIATELY
(WITHOUT LEGISLATION) FOR PERSONNEL PAID FROM UNVOUCHERED FUNDS

1. In the cases of individuals qualifying there would be granted a death gratuity amounting to six months' salary. The amount to be considered would be base pay only, excluding any overseas allowances, differentials, overtime or extrahazardous pay. Such amount would be payable to the beneficiary designated by the employee in writing or, in lieu of such designation, to the estate. Such amount is payable over and above, and shall not be considered an offset or an election in connection with, benefits payable under the United States Employees' Compensation Act. Precedent for such benefit exists in connection with the Armed Forces and members of the Public Health Service.

2. Under paragraph 5.3 of the Confidential Funds Regulations, persons paid from such funds are entitled to the benefits of the Missing Persons Act. It is proposed that all persons eligible under the Hazardous Service category would receive such benefits. Anticipating that there may be cases where individuals are "detained" for long periods of time, certain additional benefits would be granted to attempt to compensate for the fact that the individual, during such detainment would be denied the opportunity of attaining grade promotions. Consequently he would be entitled to receive increases in his pay (and allowances) at appropriate periods. The increase would be equal to the amount he would receive at the next higher grade to which he could be promoted. At such time the allowances to which he would be entitled would be recomputed on the basis of the increased salary. The waiting period for increases would be one year between each increase until the salary was equal to that which would be received by an employee at the grade level of a GS-9. Thereafter, the time period between each increase would be two years. The maximum salary level would be the salary which would be received by an employee at a grade level of a GS-15. While step-increases would be a negligible factor under this scheme, they would be granted in a manner similar to existing procedures.

*a sub
paragraph
on
allowances
to be
developed*

3. It is also proposed that appropriate regulations be established to authorize the application of the standards and benefits of the United States Employees' Compensation Act to the members of the family of the employee who is eligible under the Hazardous Service category. The members of the family would be as defined in the Standardized Government Travel Regulations. Since the standard for granting benefits to the employee is whether the employee was injured in the performance of his duty, a new standard would be established for the members of the family. The standard would be that the injury, illness or death must be determined as having a causal relationship to the employee's duties. Generally, this benefit would be for application in overseas areas.

(1) Certain presumptions should run in favor of the beneficiaries of this ~~legislation~~ ⁴⁻²⁷⁻⁶⁷⁻⁹⁴. If there is a reasonable basis on which there could be raised a presumption that the employee was a target because of his duties, the causal relationship between the wife's injury and the employee's duties is thus established.

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4. In the category of Extrahazardous Service, the employee would be eligible for all of the benefits set forth for Hazardous Service. In addition he would be authorized additional pay at the rate of 50% of his base salary, not to exceed, however, \$200.00 per four-week pay period. However, benefits of extrahazardous service in the United States would be limited to the extrahazardous pay and the six months death gratuity. It is intended that the Hazardous Service Board would circumscribe the period for which the individual would be eligible to secure this additional pay. The establishment of eligibility to run indefinitely would be avoided by appropriate procedures and review actions. Other elements to be considered in determining the period of eligibility for Extrahazardous Service pay would be treatment afforded other employees of the Agency under the same or similar circumstances. Uniformity of benefits afforded employees is to be desired where the duties entail the same degree of risk.

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